

**Iowa Department of Human Services
CHILD CARE CENTER COMPLAINT**

Name of Center: CAEI- Sacred Heart HS		Enrollment: 20	License ID: 4182000103
Street: 408 E 11th St	City: Davenport	IA Zip Code: 52803	County: Scott
Mailing Address: 500 E 59th St			
Mailing City: Davenport		IA Zip Code: 52807	
Director's Name: Tricia Shannon		Center Phone Number: 563-324-3257	
On-Site Supervisors: Amanda Walton		E-Mail Address: tshannon@iacommunityaction.org	

Date of Complaint: 7/12/2013

Date of Visit: 7/23/2013

☒ Scheduled ☐ Unannounced ☐ NA

☐ Non-Compliance with Regulations Found ☒ Compliance with Regulations Found ☐ NA

RECOMMENDATION FOR LICENSE

☒ **NO CHANGES to licensing status recommended**

☐ **PROVISIONAL license from** **to**

☐ **SUSPENSION of License**

☐ **REVOCATION of License**

Summary of Complaint:

Staff Shirley drug a five year old child out from under the child's cot causing a half dollar size rug burn type injury on the child's right shoulder.

Licensing Rules Relevant to the Complaint:

109.12(2) a-d Discipline does not allow - corporal punishment; punishment that causes humiliation, fear, pain or discomfort; locking children in an area or using mechanical restraints; associating with illness, toilet training, food or rest; or the use of verbal abuse, threats, or derogatory remarks about a child's family.

Inspection Findings:

The licensing consultant spoke several times with DHS worker Kevin Schmitz regarding the concerns . DHS Schmitz did visit the center to discuss the concerns with several staff as well as the center's program manager, Becky White. The staff concur that on the day of the incident the child was having problems with nap. The child was singing loudly and would not stay on the cot. The child was crawling under the tables and ran into a table during this process. The child is also known to be a very active child rolling around on the carpet, climbing on and under things, etc. The child is prone to having temper tantrums but had been doing much better lately. The child will have anger outbursts with tempter tantrums with behaviors such as thrashing around on the floor and kicking with feet. No staff reported any concerns with staff Shirley or how she handles the children. Staff indicated Shirley tends to be a very patient caregiver. Staff indicated the child never complained of any injury and the child was not overheard screaming out in pain to indicate there was any injury.

Staff Shirley stated she did help with the child's nap on this day after another staff had sat with the child and attempted to get the child settled for quite some time. Shirley stated at one point the child was laying with torso under the table, and Shirley saw the table going up. She stated she rushed to the area to grab the edge of the table to be sure it did not fall on the child. The child was

told several times to come out from under the table to keep the child safe or that staff would have to help the child. The child continued to tip the table. Shirley stated she then sat down beside the child and placed hands on child's shoulder and thigh and pushed the child gently to scoot the child out from under the table. The child then darted immediately back under the table. Child was now screaming "leave me alone" and resumed attempting to push the table over with the child's feet again. Child was again verbally prompted to come out and to make the child safe. Shirley again completed the same process of scooting the child out. This time the child kind of turned and pushed back to resist being scooted out. Shirley stated this time she pushed the child further out and then quickly scooted in herself to block the child from getting back under the table. The child then became very upset at being blocked from the table and began kicking at staff. The staff blocked the kicks to the face with her hands. Shirley stated she continued to talk calmly to the child and was able to put her hands on the child's forehead to stroke the child's head. This worked to calm the child. Shirley estimated she may have been with the child a total of 20 minutes with the negative portion of the interaction lasting about 10 minutes.

DHS Schmitz noted the mother did not receive an incident report as she usually does when an injury occurs at the center, however, Becky White noted the staff did not complete an incident report because the staff were not aware that there was an injury at the time. Once the center became aware of the concerns, staff Shirley was placed on administrative leave until further notice from DHS.

The licensing consultant followed up with Becky White on 8/30/13 by email. Becky indicated staff Shirley was allowed to return back to work on 8/19/13. Becky indicated there had been no previous concerns for staff Shirley's interactions with children.

Special Notes and Action Required:

It was determined that the injury was likely accidental in nature and likely did occur during the incident described, however, staff were unaware that there had been any injury at the time. The interaction occurred as the child was scooted out by staff on the floor as a method of protecting the child from further injuring self by tipping the heavy table. There are no specific licensing violations noted for the center relative to this report.

It is recommended that the center complete a written incident report to be provided to the parent on the day of the incident when a behavioral concern is noted for a child such as what was described here. This would be relative to rule: "109.10(10) Recording incidents. Incidents involving a child, including minor injuries, minor changes in health status, or behavioral concerns, shall be reported to the parent on the day of the incident. Incidents resulting in an injury to a child shall be reported to the parent on the day of the incident. Incidents resulting in a serious injury to a child or significant change in health status shall be reported immediately to the parent. A written report shall be provided to the parent or person authorized to remove the child from the center. The staff member who observed the incident shall prepare the written report and a copy shall be retained in the child's file."

Heidi Hungate, MSW
DHS Child Care Licensing Consultant

Consultant's Signature:

Date:

08/30/2013

